



INDIANA COURT OF APPEALS  
ORAL ARGUMENT AT A GLANCE  
INDIANA UNIVERSITY SCHOOL OF  
LAW—BLOOMINGTON

***MISHLER v. STATE OF INDIANA***

**Appeal from:**  
Elkhart Superior Court  
The Honorable George W.  
Biddlecome, Judge

**Oral Argument:**  
September 29, 2008  
6:00 p.m.  
30 minutes each side

**CRIMINAL LAW**

**CASE SYNOPSIS**

**Facts and Procedural  
History**

*Mishler v. State of Indiana*

## CASE SYNOPSIS

### The Parties' Arguments



## **TODAY'S PANEL OF JUDGES**

**Hon. John G. Baker (Monroe County), Presiding**

- Judge of the Court of Appeals since June 1989

The 15 judges of the Indiana Court of Appeals issue more than 2,800 written opinions each year.

The Court of Appeals hears cases only in three-judge panels. Panels rotate three times per year. Cases are randomly assigned.



## **TODAY'S PANEL OF JUDGES**

**Hon. Edward W. Najam (Monroe County),**

- Judge of the Court of Appeals since Dec. 1992

### ***“Appeals on Wheels”***

The Court of Appeals hears oral argument at venues across the state to enable Hoosiers to learn about the judicial branch.

This initiative began statewide just prior to the Court’s centennial in 2001.

**The Court of Appeals has held over 200 “on the road” cases since early 2000.**

Sites for traveling oral arguments are often law schools, colleges, high schools, and county courthouses.

## TODAY'S PANEL OF JUDGES

### Hon. Paul D. Mathias (Allen County)

- Judge of the Court of Appeals since March 2000



**Paul D. Mathias** was appointed to the Court by Governor Frank O'Bannon in March, 2000. Judge Mathias is a fifth generation Hoosier and grew up in Fort Wayne. He graduated from Harvard University, *cum laude*, in 1976 and from Indiana University School of Law – Bloomington in 1979, where he was a member of the law school's Sherman Minton Moot Court Team and *Order of Barrister*.

Judge Mathias practiced law for six years in Fort Wayne, concentrating in construction law, personal injury and appellate practice. In 1985, he was appointed Referee of the Allen County Small Claims Court,

where he served until his appointment as Judge of the Allen Superior Court – Civil Division by Governor Evan Bayh in 1989.

Judge Mathias served as an officer of the Indiana Judges Association from 1993 to 1999 and as its president from 1997 to 1999. He received the Centennial Service Award from the Indiana State Bar Association in 1996, and a Sagamore of the Wabash Award from two governors.

Judge Mathias, who was retained on the Court of Appeals by election in 2002, is married and has two sons.

## **ATTORNEYS FOR THE PARTIES**

**For Appellant, Paul L. Mishler:**

**Juan Garcia, Jr.**

**Garcia & Crawford LLC**

**Elkhart**

**For Appellee, State of Indiana:**

**Joby Jerrells**

**Deputy Attorney General**

**Indianapolis**